

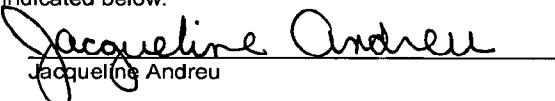
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John G. Babisch et al.
 Serial No.: 10/557,293
 Filed: November 18, 2005
 Title: Anti-Inflammatory Pharmaceutical Compositions for Reducing inflammation
 and the Treatment or Prevention of Gastric Toxicity
 Docket: 068911-0126
 Confirmation No.: 9021

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the U.S. Postal Service via First Class Mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted (571-273-3201) to the US PTO, on the date indicated below.

Date: May 1, 2007



Jacqueline Andreu

MAIL STOP PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in connection with the above-referenced patent application are the following documents:

- 1) Information Disclosure Statement (2 pages);
- 2) Information Disclosure Statement (Form PTO 1449) (5 pages);
- 3) References cited in IDS (Form PTO 1449) B1-B17 and C1-C57; and
- 4) Return Receipt Postcard.

The are no fees believed to be due with the filing of this Information Disclosure Statement. However, the commissioner is hereby authorized to charge any fees that may be required to our Deposit Account No. 50-1133.

Respectfully submitted,



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Date: May 1, 2007

PATENT
Customer No. 23630
Attorney Docket No. 068911-0126

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Jacqueline Andreu

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Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Applicants and their attorney are aware of the following publications and information, listed on the attached Form PTO-1449, and in accordance with 37 C.F.R. §§ 1.56 and 1.97(b) hereby submit these publications for the Examiner's consideration. According to the United States Patent and Trademark Office OG Notices: 05 August 2003, copies of cited U.S. patents and U.S. patent application publications are waived and not submitted with this Statement. Enclosed are copies of foreign references B1-B17, and other references cited as C1-C57. This Statement is being filed before the receipt of a first Office Action on the merits for the above-referenced application.

This Statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicant understands that the Examiner will make an independent evaluation of the cited publications.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.M./

Application Serial No. 10/557,293
John G. Babisch, et al.
Filing Date: November 18, 2005

If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

No additional costs are believed to be due in connection with the filing of this disclosure. However, please charge any necessary fee to our Deposit Account No. 50-1133.

Respectfully submitted,

Dated: May 1, 2007


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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)				ATTY. DOCKET NO. 068911.0126	SERIAL NO 10/557,293
				APPLICANT John G. Babisch et al.	
				FILING DATE November 18, 2005	GROUP To be assigned
U.S. PATENT DOCUMENTS					
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ² (<i>if known</i>)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US	3,552,975	1/5/1971	Worden, et al.
	A2	US	3,720,517	3/13/1973	Bavisotto, et al.
	A3	US	3,932,603	6/13/1976	Haas
	A4	US	3,933,919	1/20/1976	Wilkinson
	A5	US	3,965,188	6/22/1976	Westermann, et al.
	A6	US	4,123,561	10/31/1978	Grant
	A7	US	4,133,903	1/9/1979	Thiele, et al.
	A8	US	4,148,873	4/10/1979	Owades
	A9	US	4,154,865	5/15/1979	Grant
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	A11	US	4,401,684	8/30/1983	Versluys
	A12	US	4,473,551	9/25/1984	Schinitsky
	A13	US	4,554,170	11/19/1985	Panzer, et al.
	A14	US	4,644,084	2/17/1987	Cowles, et al.
	A15	US	4,692,280	9/8/1987	Spinelli
	A16	US	4,767,640	8/30/1998	Goldstein, et al.
	A17	US	4,857,554	8/15/1989	Kallimanis
	A18	US	5,006,337	4/9/1991	Motitschke, et al.
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	A20	US	5,073,396	12/17/1991	Todd, Jr.
	A21	US	5,082,975	1/21/1992	Todd, Jr., et al.
	A22	US	5,155,276	10/13/1992	Paul
	A23	US	5,166,449	11/24/1992	Todd, Jr., et al.
	A24	US	5,286,506	2/15/1994	Millis, et al.
	A25	US	5,296,637	02/01/2000	Ting, et al.
	A26	US	5,387,425	2/7/1995	Hsu, et al.
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	A33	US	6,129,907	2/1/2000	Sreenivasan, et al.
EXAMINER				DATE CONSIDERED	
/Michael Meller/ (11/16/2009)					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes-Number + - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation
						Yes No
B1	DE 19841615		3/16/2000	Mueller	Abstract	
B2	DE 2212148		9/28/1972	GEN FOODS CORP	Abstract	
B3	DE 3931147		3/28/1991	SOLONG NATURAL LTD	Abstract	
B4	JP 07194351		8/1/1995	Nippon Zoki Pharm Co., Ltd.	Abstract	
B5	JP 410025247		1/27/1998	ASAHI BREWERIES LTD	Abstract	
B6	JP 10152428		6/9/1998	Kanebo Ltd	Abstract	
B7	JP 9067245		3/11/1997	Ashai Breweries, Ltd.	Abstract	
B8	JP 04202138		7/22/1992	Asahi Breweries Ltd	Abstract	
B9	JP 6312924		11/8/1994	Asahi Breweries Ltd	Abstract	
B10	JP 363211219		9/2/1988	TAIYO KORYO KK	Abstract	
B11	JP 8073369		3/19/1996	Kubo M	Abstract	
B12	RU 2045955		10/20/1995	Nikitina	Abstract	
B13	SU 1247011		7/30/1986	SP K B KHIM N PROIZV OBEDINENI		
B14	WO 00/68356		11/16/2000	Yakima Chief, Inc.		
B15	WO00/74696		12/14/2000	OXFORD NATURAL PRODUCTS PLC		
B16	WO02/02582		1/10/2002	Deutsches		
B17	WO99/44623		9/10/1999	NPS PHARMA INC		
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
		See sheet Nos. 4-5				
EXAMINER <i>/Michael Meller/ (11/16/2009)</i>			DATE CONSIDERED			

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EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
	C1	"Information on ArthroTrim™ product", downloaded from Internet 8/30/02.	
	C2	"Information on Zyflamend and Zyflamend PM", downloaded from Internet 8/30/02.	
	C3	"Information on Hops and Beer Flavours", downloaded from internet 02/15/2005	
	C4	Anto, <i>et al.</i> Pharm. Pharmacol. Comm. <u>4</u> :103-106 (1998)	
	C5	Bermejo, <i>et al.</i> Rev. Esp. Enferm. Dig. <u>95</u> (9): 625-628 (2003)	
	C6	Brown, <i>et al.</i> J. Chem. Soc. <u>545</u> (1959)	
	C7	Byrne, <i>et al.</i> J. Chem. Soc. (c): <u>2810</u> -2813 (1971)	
	C8	Carroccio, <i>et al.</i> Clin. Chem. <u>49</u> (6):861-867 (2003)	
	C9	Carson, J., Am. Chem. Soc. <u>73</u> :1850-1851 (1951)	
	C10	Chandra, <i>et al.</i> Indian J. Medical Research <u>60</u> (1):138-142 (1972)	
	C11	Charlier, <i>et al.</i> Eur. J. Med. Chem. <u>38</u> :645-659 (2003)	
	C12	CHOU <i>et al.</i> Eur. J. Biochem. <u>115</u> :207-216 (1981)	
	C13	Chou, <i>et al.</i> Adv enzyme regul <u>22</u> :27-55 (1983)	
	C14	Chou, <i>et al.</i> J. Biol. Chem. <u>252</u> (18):6438-6442 (1977)	
	C15	Chou, <i>et al.</i> J. Theor. Biol. <u>35</u> :285-297 (1972)	
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	C17	Chou, J. Theor. Biol. <u>59</u> :253-276 (1976)	
	C18	Costa, <i>et al.</i> Digest. Liver Dis. <u>35</u> :642-647 (2003)	
	C19	Davies, WL. Abstract - Fertiliser, Feeding Stuffs and Farm Supplies J. <u>11</u> :694 (1926)	
	C20	Ding, <i>et al.</i> Biochem. Biophys. Res. Comm. <u>261</u> :218-223 (1999)	
	C21	Friedman, <i>et al.</i> J Cutan Med. Surg. <u>6</u> (5):449-459 (2002)	
	C22	Germany, "The Absolutely German Drink," contents of beer, 2004, 5 pages.	
	C23	Goldstein, <i>et al.</i> Am. J. Gastroenterol. <u>96</u> (4):1019-1027 (2001)	
	C24	Halter, <i>et al.</i> Gut <u>49</u> :443-453 (2001)	
	C25	Hamberg, <i>et al.</i> J. Bio. Chem. <u>246</u> (22):6713-6721 (1971)	
	C26	Huang, <i>et al.</i> Cancer Res. <u>51</u> :813-819 (1991)	
	C27	International Search Report for PCT/US02/19617	
	C28	International Search Report for PCT/US04/16043	
	C29	Jach, Przegl Dermatol. <u>65</u> (4):379-381 (1978)	
	C30	Kanematsu, <i>et al.</i> J Bone Miner Res <u>12</u> :1789-1796 (1997)	
	C31	Lopes, Curr. Med Res Opin. <u>8</u> (3):145-149 (1982)	
	C32	Meling, <i>et al.</i> Scand. J. Gastroenterol. <u>31</u> :339-344 (1996)	
EXAMINER <i>/Michael Meller/ (11/16/2009)</i>		DATE CONSIDERED	

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